

**TOWNSHIP OF CRANFORD
CRANFORD, NEW JERSEY**

ORDINANCE NO. 2024-14

**AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF CRANFORD,
CHAPTER 264, ARTICLE II, TO REVISE REGULATION OF THE DISTRIBUTION
OF HANDBILLS AND STAND-ALONE ADVERTISEMENT NOTICES**

WHEREAS, the Township of Cranford wishes to protect its residents against the detriments to health and safety and the expense incident to the littering of the streets and public places by the unsolicited and uncontrolled distribution of advertising matter and commercial circulars; and

WHEREAS, the Township of Cranford further wishes to prevent trespassing by canvassers or advertising distributors upon the private property of such residents, which may also signal to persons of criminal habits or tendencies that a unit or building is unoccupied; and

WHEREAS, unsolicited advertisements are being distributed by indiscriminately leaving plastic bags containing only commercial advertisements on lawns and driveways without regard to whether a property is occupied or the resident wishes to receive such material;

WHEREAS, because such materials are distributed indiscriminately to households that are unoccupied and/or do not wish to receive the materials the materials are considered trash, garbage and litter that is left discarded to accumulate on driveways, streets, and the gutters;

WHEREAS, such plastic and paper waste and litter then pollutes, fouls, and contaminates our stormwater systems and waterways, releasing harmful chemicals into the environment, creating visual pollution, degrading water quality, and negatively impacting the sewer and drainage systems of the Township; and

WHEREAS, as set forth in P.L. 2002, c. 128, banning single-use plastic, the New Jersey State Legislature has found, which findings are incorporated by reference herein, that the disposal of unwanted single-use plastics to be an unconscionable cause of pollution that undermines the health and safety of the environment;

WHEREAS, the Township of Cranford wishes to protect its residents against the nuisance of the unsolicited distribution of advertising handbills and circulars, particularly commercial advertising, as herein defined, and avoid the resulting detriment and danger to public health and safety; and

EXPLANATION – Matter struck through ~~thus~~ in the above Ordinance is not enacted and is intended to be omitted in the law. Matter underlined thus is new matter.

WHEREAS, the Township of Cranford seeks to preserve its residents’ constitutional right to receive and disseminate information by distinguishing between the nuisance created by the indiscriminate and unsolicited distribution of advertising and commercial circulars as against the right to deliver core protected speech to all residents and commercial advertising to those who have expressed a desire to receive it; and

WHEREAS, the Township of Cranford seeks to accomplish the foregoing purposes without restricting the freedom of the press;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Cranford as follows:

SECTION 1. Chapter 264, Section 18 is hereby amended as follows:

§ 264-18 Distribution of handbills and stand-alone advertisement notices.

No person shall throw, deposit or distribute any commercial ~~or noncommercial~~ handbill or multiple-page advertisement notices which are not part of an insert to a daily, weekly, or weekend delivered newspaper in or upon private premises without the express request or permission of the owner or occupant of any such residence. ~~except by handing or transmitting any such handbill or multiple page advertisement notices directly to the owner or occupants or other person then present in or upon such premises.~~ The provisions of this section shall not apply to the distribution of United States mail nor to the deposit or delivery of newspapers.

Introduced: May 21, 2024

Adopted: June 25, 2024

Approved:

Brian Andrews
Chairman, Township Committee

Attest:

Patricia Donahue, RMC
Municipal Clerk

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RECORDED VOTE

INTRODUCED

ADOPTED

Brian Andrews

Aye

Aye

Terrence Curran

Aye

Aye

Paul A. Gallo

Aye

Aye

Kathleen Miller Prunty

Aye

Absent

Gina Black

Aye

Aye

EXPLANATION – Matter struck through ~~thus~~ in the above ordinance is not enacted and is intended to be omitted in the law. Matter underlined thus is a new matter.